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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,826	02/02/2004	William L. Reber	82351	9065

22242 7590 03/17/2006

FITCH EVEN TABIN AND FLANNERY  
120 SOUTH LA SALLE STREET  
SUITE 1600  
CHICAGO, IL 60603-3406

EXAMINER
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NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
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2677

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/769,826	<b>Applicant(s)</b> REBER ET AL.	
	<b>Examiner</b> Kimnhung Nguyen	<b>Art Unit</b> 2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deluca et al (U.S. Patent No. 4,952,927) in view of Bluthgen et al (U.S. Patent No. 6,693,636 B2).

As to claim 1, Deluca discloses an apparatus including a wireless receiver (12), a memory (16, 38) operable coupled to the wireless receiver (12) and having a multiword text message stored therein (see column 4, lines 41-51). Deluca teaches a display (22) operable coupled to the memory (16), and being of sufficient size (12 alphanumeric display elements) to accommodate simultaneous display of a plurality of words as comprise the multiword text message (see column s, lines 23-42). Deluca teaches a processor (32) operable coupled to the memory (16) and the display (22). Deluca teaches the processor only permitting a single character of the multiword text message to be displayed by the display at a time while claim requires the processor only permits a single word of the multiword text message to be displayed by the display at a time. In same field of endeavor, Bluthgen teaches the text message received from the transmitter (1) may either scroll character by character or word by

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word (see column 8, lines 16-19). Thus it is clearly that the processor (7-8) of Bluthgen only permits a single word of the multiword text message to be displayed by the display at a time. Since both Deluca and Bluthgen can scroll the text message character by character or word by word. This reads on the limitation "no two words as comprise a part of the multiword text message are simultaneously displayed". For example, Bluthgen teaches scroll word by word then one word displays on the screen at a time. Bluthgen's device does not scroll two words by two words. In other words, there is no two words simultaneously displayed in Bluthgen's device.

Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used a processor for scrolling word by word as taught by Bluthgen to the scrolling processor of Deluca so the significant parts of the text information available in the sub data can also be shown on display units on small-sized receivers and remote controllers without the requirement of far-reaching amendments in the sub data format (see column 1, lines 45-50 of Bluthgen).

As to claim 2, Bluthgen clearly teaches the first mode of operation further only permitting the single words of the multiword text message to be displayed in a Sequence as corresponds to the multiword text message (i.e. scrolling word by word, see column 8, lines 16-19).

As to claim 3, Bluthgen teaches the processor (7-8) further including display means (10) for presenting only a single word of the multiword text message at a time on the display (i.e. scrolling one word by one word or one word at time on the display, not two words at a time because Bluthgen does not scroll two words by two words;

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(see column 8, lines 16-19).

### ***Response To Arguments***

3. Applicant's arguments filed on 3/4/05 have been fully considered but they are not persuasive.

Applicant states "Bluthgen teaches a mechanism for presenting textual material on a small display (in particular, a 12 character display). Bluthgen is particularly concerned with handling control characters that are embedded in the textual data (control characters being non-displayed characters that control various aspects regarding how the displayable text is displayed). Bluthgen teaches that a number of displayable characters (including spaces but excluding control characters) as equal the number of characters in the display be simultaneously displayed. In his specific examples (see, for example, FIGS. 8a, 8b, and 8c) he shows 12 consecutive displayable characters being simultaneously displayed using a 12 character display. When these 12 consecutive displayable characters happen to comprise more than one word, more than one word will be coincidentally displayed. For example, in FIG. 8a, the words "abc" and "mijkl" are displayed while FIG. 8b illustrates the display of "toon" and "erdl". Bluthgen explains this approach in detail at column 7 at lines 20 through 48.

These teachings, of course, readily permit the simultaneous display of more than one word. Indeed, as many words as may be fit into 12 character spaces (presuming Bluthgen's 12 character display) are permitted. The applicant respectfully notes that Bluthgen's approach therefore differs from the recitations of claim 1, wherein "no two words as comprise a part of the multiword text message are simultaneously displayed." When Bluthgen can display multiple words as comprise a part of a multiword text message, he

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does.

Examiner respectfully disagrees because Bluthgen discloses an information transfer system having scroll character by character or word by word (see col. 8, lines 16-19) and such that no two words as comprises a part of the multiword text message are simultaneously display, or there is no two words simultaneously displayed in Bluthgen's device. Therefore, the limitation is required in the claimed invention. For these reasons, the rejections are maintained.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

#### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen  
March 10, 2006



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600